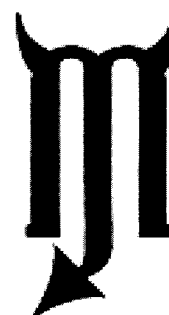


**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

MONSTER ENERGY COMPANY)	Opposition No. 91205924
Opposer,)	Serial No. 85/508,374
)	Mark:
v.)	
)	
CHIH, LI-WEI)	
Applicant)	



ANSWER TO NOTICE OF OPPOSITION

COMES NOW the Applicant, Li-Wei Chih, to Answer the Notice of Opposition as filed by Monster Energy Company. In its Notice of Opposition, Monster Energy Company has alleged that it will suffer damage under §2(d) and §43(c) of the Lanham Act on account of the registration of U.S. Trademark Application Serial No. 85/508,374 (“Application”) for the mark “M,” shown above, as owned by Li-Wei Chih. Applicant denies that such damage will occur to Opposer and states the reasons herein.

OPPOSER’S ALLEGATIONS

In correspondence with Opposer’s allegations as contained within its Notice of Opposition, Applicant answers as follows:

24. Applicant is without knowledge or information sufficient to form a belief as to the truth of Opposer's averments in paragraph 24.

25. Applicant is without knowledge or information sufficient to form a belief as to the truth of Opposer's averments in paragraph 25.

26. Applicant is without knowledge or information sufficient to form a belief as to the truth of Opposer's averments in paragraph 26.

27. Applicant is without knowledge or information sufficient to form a belief as to the truth of Opposer's averments in paragraph 27.

28. Admitted.

29. Admitted.

AFFIRMATIVE DEFENSES

For its affirmative defenses, Applicant asserts as follows:

1. Opposer has failed to state a claim upon which relief can be granted.

2. There is no likelihood of confusion with Opposer's mark to bar registration of Applicant's mark under Lanham Act §2(d).

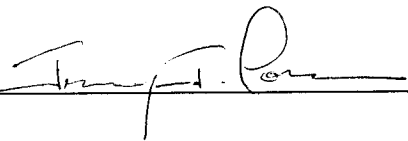
3. There is no dilution of Opposer's mark by Applicant's mark under Lanham Act §43(c).

Applicant reserves the right to add additional affirmative defenses as they become known through discovery.

WHEREFORE, Applicant prays that the opposition be dismissed with prejudice and that
“M”, subject of Serial No. 85/508,374, be registered on the Principal Register.

Respectfully Submitted,
Jeffrey Pokorak, Attorney for Applicant
120 Tremont St.
Boston, MA 02108
Tel: (617) 573-8100
Fax: (617) 742-2139


Dated: 9/10/12

By: 

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing ANSWER TO NOTICE OF OPPOSITION upon Opposer by depositing one copy thereof in the United States Mail, first-class postage prepaid, on September 10, 2012, addressed as follows:

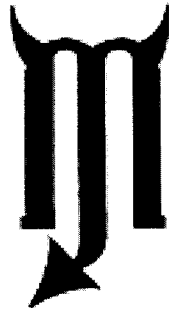
Steven J. Nataupsky
Lynda Zadra-Symes
Diane M. Reed
Brigette B. Chaput
Knobbe, Martens, Olson & Bear, LLP
2040 Main Street, Fourteenth Floor
Irvine, CA 92614



Jeffrey Pokorak
ATTORNEY FOR APPLICANT
120 Tremont St.
Boston, MA 02108
Tel: (617) 573-8100
Fax: (617) 742-2139

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE
TRADEMARK TRIAL AND APPEAL BOARD

In the matter of trademark application **Serial No. 85/508,374**



For the mark:

Filed: September 10, 2012

MONSTER ENERGY COMPANY,

Opposer,

v.

CHIH, LI-WEI

Applicant

)
)
)
)
)
)
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Opposition No. 91205924

Notice of Appearance of Counsel

Applicant Li-Wei Chih files this Notice of Appearance of Counsel and hereby notifies the Court and all parties as follows:

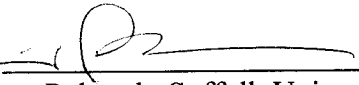
Jeffrey Pokorak, a member of good standing of the bar of Massachusetts and the bar of the Circuit Court of Appeals for the First Circuit, respectfully enters his appearance in the above captioned action as counsel for Applicant, Li-Wei Chih in this matter.

It is respectfully requested that all correspondence in connection with the above identified proceeding be sent to the undersigned attorney at the address noted.

Respectfully submitted,

Jeffrey Pokorak

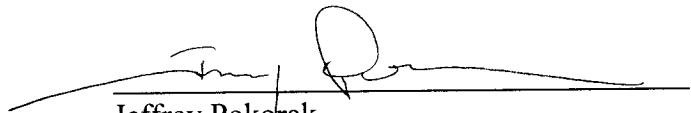
Dated: September 10, 2012

By: 
Jeffrey Pokorak, Suffolk University Law
School Clinical Programs
ATTORNEY FOR APPLICANT
120 Tremont St.
Boston, MA 02108
Tel: (617) 573-8100
Fax: (617) 742-2139

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing NOTICE OF APPEARANCE OF COUNSEL upon Opposer by depositing one copy thereof in the United States Mail, first-class postage prepaid, on September 10, 2012, addressed as follows:

Steven J. Nataupsky
Lynda Zadra-Symes
Diane M. Reed
Brigette B. Chaput
Knobbe, Martens, Olson & Bear, LLP
2040 Main Street, Fourteenth Floor
Irvine, CA 92614

A handwritten signature in black ink, appearing to read 'Jeffrey Pokorak', is written over a horizontal line.

Jeffrey Pokorak
ATTORNEY FOR APPLICANT
120 Tremont St.
Boston, MA 02108
Tel: (617) 573-8100
Fax: (617) 742-2139